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Attorney for Defendant  
LINDA HENDERSON

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

|                           |   |                                      |
|---------------------------|---|--------------------------------------|
| UNITED STATES OF AMERICA, | ) | No. CR-10-0331 TEH                   |
|                           | ) |                                      |
| Plaintiff,                | ) | <b>STIPULATION AND [PROPOSED]</b>    |
|                           | ) | <b>ORDER FOR CONTINUANCE OF</b>      |
| v.                        | ) | <b>JULY 25, 2011 SENTENCING DATE</b> |
|                           | ) |                                      |
| LINDA HENDERSON,          | ) |                                      |
|                           | ) |                                      |
| Defendant.                | ) |                                      |

IT IS HEREBY STIPULATED by and between Assistant United States Attorney, Robin L. Harris, counsel for the plaintiff, John M. Runfola, counsel for LINDA HENDERSON, that the sentencing date now scheduled for July 25, 2011 at 10:00 a.m., is extended until September 12, 2011 at 10:00 a.m., or as soon thereafter as is convenient for the Court.

This continuance request is sought by counsel for the defense due to unavailability of counsel. Ms. Henderson lives in North Carolina which makes it difficult to meet and prepare her case for sentencing. Additionally, counsel for the defense is unavailable in the month of July and will be away the month of August on a previously planned vacation.

Therefore, the parties respectfully request that the Court move the next hearing date from July 25, 2011 to September 12, 2011 for the purposes of continuity of and

STIPULATION AND [PROPOSED] ORDER  
CR 10-0338 SI

1 effective preparation of counsel, in order to provide defense counsel with adequate time  
2 to consult with the defendant.

3 The United States Probation Officer has approved the suggested continuance date.

4 No party objects to the requested continuance.  
5

6 IT IS FURTHER STIPULATED that the period from July 25, 2011 through  
7 September 12, 2011 be excluded from any time limits applicable under 18 U.S.C. § 3161. The  
8 parties agree that granting the exclusion would allow the reasonable time necessary for effective  
9 preparation of counsel and would preserve continuity of counsel. See 18 U.S.C. §  
10 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such an  
11 exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. 18  
12 U.S.C. § 3161(h)(7)(A).  
13

14  
15 SO STIPULATED:

16  
17 DATED: July 7, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
18

19 JOHN RUNFOLA  
Attorney for LINDA HENDERSON

20  
21 DATED: July 8, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
22

23 ROBIN L. HARRIS  
Assistant United States Attorney

24 ~~PROPOSED~~ ORDER

25 For the reasons stated above, the Court finds good cause to change the date for the next  
26 status hearing from July 25, 2011 to September 12, 2011. The Court also finds that the exclusion  
27 from the time limits applicable under 18 U.S.C. § 3161 of the period from July 25, 2011 through  
28 September 12, 2011 is warranted and that the ends of justice served by the continuance outweigh

1 the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A).

2 The failure to grant the requested exclusion of time would deny counsel for the defendant and for  
3 the government the reasonable time necessary for effective preparation, taking into account the  
4 exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C.  
5 §3161(h)(7)(B)(iv).  
6

7  
8 IT IS SO ORDERED.  
9

10  
11 DATED: 7/11/2011  
12 \_\_\_\_\_

